IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND SIX.

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.898 OF 2006

Between:

Smt. I.Jyothi and another.

..... PETITIONERS

AND

The Commissioner, Municipal Corporation of Hyderabad Circle No.1 Sardar Mahal, Hyderabad.

....RESPONDENT

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O R D E R:

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The writ petition is filed seeking a Writ of Mandamus to declare the action of the respondent in demolishing the petitioners construction as illegal.

It is stated that the petitioners are the owners of the house bearing No.16-11-20/E/2 situated at Saleemnagar Colony, Malakpet, Hyderabad admeasuring 297 sq.yards. It is further stated that the said construction is sought to be demolished alleging that the said building was constructed unauthorizedly without obtaining any sanctioned permit. It is stated that the sanction permit No.117/24 dated 27.6.2005 is also made.

I am not inclined to express any opinion as to whether the petitioners constructing the building in accordance with the sanctioned permit and plan and I do not see any illegality on the part of the respondent's action. Admittedly no notice has been issued and in regard to house of the petitioners would be demolished. Having regard to the facts and circumstances, the respondent is directed to issue notice

about the deviations of the sanctioned plan before taking up demolition of the construction and also take appropriate action in accordance with law. Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J

17th January 2006.

BCS